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Mr. Hardinge made the following observations :— I hand in, Mr. President, as the property of the Academy, the original MS. from which my “ Memoir on Townland and other Surveys in Ireland of a public character, from the year 1641 to the year 1688,” was published in the Academy’s “ Transactions;” and beg to observe that the value of the MS. is, that it exhibits the superior form in which the statistical analyses of the forfeited, profitable, and unprofitable baronial areas of the lands exhibited in Appendix E. would have appeared, had not a pressing necessity to economize the Academy’s funds obliged its modification to the form in which it has been printed. The MS. is also valuable in enabling any person to distinguish the author’s from the printer’s errors ; and, as I lay claim to no infallibility this way, I consider the present an opportune time and place to state, that I will feel much obliged, upon the discovery of errors, if the discoverers will communicate to me their nature, and the exact references to them in the “ Transactions” volume, I beg also to present to the Academy one of my own copies of the publication ; it will be found to embrace an Introduction not contained in the copies distributed amongst the members of the Academy, and this Introduction divulges some circumstances that Academicians especially should be made acquainted with ; it also contains two photographed Down Survey Maps, which in the operation were reduced to a size suitable for introduction into the “ Transactions” volume. These maps were presented to me, in duplicate, by Sir Henry James, Chief of the Ordnance Survey Department. They are elegantly and accurately executed ; and my reason for thus presenting them is, to promulgate the circumstances leading to their existence, and at the same time to perpetuate these circumstances and the illustrations themselves in the Library of the Academy.

The Academy then adjourned.

MONDAY, FEBRUARY 22, 1864.

The VERY REV. CHARLES GRAVES, D. D., President, in the Chair.

J. Huband, Smith, Esq., exhibited an autograph letter of Oliver Cromwell to his son Henry, when Governor-General of Ireland, and read a paper explaining the circumstances referred to in the letter.

W. H. HARDINGE, Esq., read the following paper, containing some remarks on the Countess of Desmond, in the reign of Charles I. :—

#### THE OLD COUNTESS OF DESMOND.

It must appear presumptuous in me, thus occupying the position of a yet living, though unhappily absent author, in the observations I am about offering to the Academy on a few points hitherto unnoticed, and which I think throw additional light upon the history of the Old Countess of Desmond ; but in explanation I may be permitted to state, that having placed at the disposal of the author alluded to the materials giv-

ing rise to these observations, he frankly informed me that he had retired from the printing office, and requested that I would communicate the nature of them to the Royal Irish Academy for publication.

I esteem the permission thus given so nearly allied to a command, if not a challenge, that I feel I have no other resource than to comply with the request of Mr. Richard Sainthill.

The publication of that gentleman in 1863, dedicated to Miss Saunders Forster, and the publication in the "Quarterly Review" \* for March, 1853, both on the subject of the Old Countess, appear to me conclusively to prove, "that Catherine Fitzgerald, a daughter of the Lord of Decies, was born in the reign of Edward IV.; was married to Sir Thomas Fitzgerald about the close of that, or the commencement of the reign of Henry VII.; became Countess of Desmond in the year 1529, when her husband succeeded to the earldom; became Countess Dowager in the year 1534, when he died; and from that period to the time of her death in the year 1604, at the patriarchal age of 140 years, she resided in the Castle of Inchiquin, which, together with the manor of that name situated in the county of Cork, had been at an early period settled upon her in dowry."

In the memoir publications referred to, there are two suggestions of a very remote and pertinent character discussed. The one originates in the note-book of the Earl of Leicester, when ambassador at Paris, in the year 1640, which contains a statement, "that the Old Countess and her aged and decrepit daughter went over to Bristol, and from thence, the Countess on foot and the daughter in some rude and humble conveyance, travelled up to London, where the Countess was introduced at the court of Queen Elizabeth (about the year 1586), represented her necessitous condition, and was graciously received by the Queen, who redressed her wrongs." The suggestion leaves the reader to imagine what the nature and extent of these wrongs were, what was the nature of the redress granted, and how the noble supplicants returned to their native land—points of information which appear to me more worthy of note and comment than those dwelt upon by the Earl of Leicester.

The other suggestion is that of Sir William Temple, who postpones the visit to the reign of King James I., but supplies no particulars whatsoever of its cause or consequence.

The paper of Mr. Sainthill, read before this Academy on 8th April, 1861, and published in its "Proceedings" under that date, with great force and perspicuity combats and disposes of the visit of the Old Countess to Queen Elizabeth, suggested by Lord Leicester. He, however, does not touch upon that which, upon the authority of Sir William Temple, she is said to have made to King James I.—concluding, I presume, that if the Countess Dowager Catherine of Desmond was proved, by his (Mr. Sainthill's) arguments, to have been raised by her jointure provision to such an independent position in the year 1586, as not to need any aid or

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\* Vol. xcii., p. 329.

bounty from Queen Elizabeth, it would be needless to repeat the same arguments to disprove an assumed subsequent visit of the same Countess to the court of King James, and at this point Mr. Sainthill abruptly concludes his inquiry.

It must, however, strike the mind of an accurate investigator, that although the imputation of Lord Leicester and Sir William Temple may have been wrong as respects the *Old Countess of Desmond*, it might be applicable to a younger Countess of Desmond, namely, Elinor, wife of the ill-fated and unfortunate Garrett—*alias* Gerald—sixteenth and last Earl of Desmond of the Fitz Gerald line—who was cotemporaneous with the older Countess during the limited period of this inquiry; and that, therefore, Mr. Sainthill would have done well to have proceeded one step further than he did, cleared up this remaining point, and with it have exhausted the subject.

In 1579 Garrett, Earl of Desmond, was proclaimed a traitor by military law. In 1583 he was barbarously murdered for the money reward set upon his head, and in 1586 he was attainted, when his immense territorial possessions were vested in the Crown by Act of Parliament.

This transfer of the Desmond estates to the Crown did not affect the ancient jointure charge to which the Inchiquin manor fragment of them was liable, in favour of the Countess Catherine, *alias* the Old Countess; but it annihilated, swept away every other charge and interest to which they might have been subject, so far as Elinor, the young Countess Dowager, and all the sisters of her then late husband, Garrett, were concerned.

I need scarcely remind my auditory of the intensity of feeling that subsisted in the minds of the British rulers then in power in Ireland against the Desmond race; and helpless and destitute as the widow of Garrett and his sisters were at that time, there was not, I believe, to be found one amongst these rulers who would publicly support a claim for a pension to relieve and comfort their helplessness and destitution.

The individuals placed in the year 1586 in the position I have described were, Ellen, Countess Dowager of Desmond; Lady Jane Fitzgerald; Lady Ellen Fitzgerald; and Lady Elizabeth Fitzgerald, sisters of the Earl Garrett.

There can be no doubt, as evidenced by a license granted to the Countess of Desmond to return\* to Ireland from England, where she had been for some time staying, dated 23rd June, 39th Elizabeth, that she went over to the Court of St. James's, where she was presented to the Queen, and successfully urged her melancholy suit.

The result of that suit was a grant by letters patent,† under the great seal of Ireland, dated 25th November, 29th Elizabeth, Anno

\* Morrin's "Calendar to Patent and Close Rolls, Court of Chancery, Ireland," vol. ii., p. 479.

† Landed Estates' Record Office, liber 15, f. 128, Patents, Elizabeth.

Domini 1587, settling upon the Countess for her life a pension of £100, Irish, per annum.

And by warrant\* of same Queen, issued in same year, a pension of £35, Irish, per annum, each, was granted, during pleasure, to the Ladies Jane, Ellen, and Elizabeth Fitzgerald.

It is manifest from these facts, that the Earl of Leicester was in error in attributing to the Old Countess and her decrepit daughter a visit to Queen Elizabeth, which was really made, and at the very period indicated, by the younger Countess and one of her sisters-in-law.

Having placed these respective parties in the enjoyment of pensions from Queen Elizabeth, I will at once pass on to the reign of King James I., and see what happened then.

This monarch ascended the throne of England in March, 1602, and the pension granted to the three Ladies Fitzgerald ceased to be paid. This I can understand, as the warrant of grant from Queen Elizabeth constituted a tenure during pleasure only, and it was merely an act of official duty in the Vice-Treasurer of Ireland to refuse further compliance with it until the will of the king was known. The pension granted to the Countess ceased to be paid then also; this I cannot understand, as the tenure of her grant was for the term of her natural life, and such instruments are and have been always considered binding upon the Crown, without regard to succession.

The circumstance of estoppel must have occasioned much inconvenience, if it did not produce absolute want, to these ladies; and once more the Countess proceeded to London, and in all likelihood was again accompanied by one of her participating sufferers, to seek redress at the foot of the throne.

The result of the appeal to the King was crowned with the same success as a similar appeal was to Queen Elizabeth; but the case of the three Ladies Fitzgerald was more tardily dealt with than was that of the Countess. Their situation, however, when redress did come, was improved in the permanency of the tenure, as well as the amount of the pensions granted to them, as I find letters patents,† under the great seal of Ireland, bearing date the 1st day of June, in the fourth year of the reign of King James I. of England, Anno Domini, 1606," which recite "that information had been given to the King of the distressed estates of the Ladies Jane, Elinor, and Elizabeth Fitzgerald, sisters to the late Earl of Desmond, who complained of their want of maintenance, because their several pensions of £33 6s. 8d., sterling, granted them by Queen Elizabeth, determined by her death, being held and enjoyed by warrant, and not by letters patent," and which granted a pension of £50 *sterling* per annum to each of said ladies, to hold same from the cessation of payment of the former pensions, until by a gift of lands, or other good means, they and each of

\* Landed Estates' Record Office, warrants of payment pensions, Elizabeth.

† Ibid., Patents, James I., lib. 11 B, p. 245.

them should obtain as great or greater benefit and advancement, when said pensions were respectively to determine. I shall only observe in reference to these ladies and their pensions, that they continued to receive them down to the year 1641, when the great rebellion happened in Ireland and extinguished law, order, and the royal and public revenue together.

The pension of the Countess was more immediately restored, as the ensuing copy of a letter from the Lords of the Privy Council of England to the Lord Lieutenant and Privy Council of Ireland demonstrates, viz.:—

“After\* our hearty commendations to your lordships and the rest, &c., upon humble suit made by the Countess of Desmond unto the King’s Majesty, his Highness is graciously pleased that she shall enjoy a pension she had in Ireland of £100, Irish, per annum. These shall be to require you to take order the said pension of £100, Irish, shall be paid from henceforth unto the said Countess, with the arrears not exceeding one year, wherein this signification of his Majesty’s pleasure shall be your sufficient warrant in that behalf. And so we bid your lordship and the rest a hearty farewell. From the Court at Theobald’s, the last of July, 1604.

“Your lordships’, &c., very loving friends,

“T. ELLESMORE, <i>Canc.</i> ;	E. WORCESTER,
T. DORSET,	R. CECYLL,
NOTTINGHAM,	W. KNOLLYS,
SUFFOLK,	J. STANHOPE.”
NORTHUMBERLAND,	

This letter, reviving the grant of Queen Elizabeth, shows that the pension had been stopped, and that the Countess made personal suit for its revival to the King; and it further shows, as well by the immediate orders it issues as the number and rank of the names attached to it, the deep interest and commiseration entertained by King James and his Court for the Countess and her misfortunes; and I think it is manifest from the circumstances disclosed by this letter, as well as by the letters patents granting the pensions of £50 each to the Ladies FitzGerald, that Sir William Temple was in error in attributing the visit so made by the Countess Elinor of Desmond at the Court of King James to the “Old Countess,” who, if she was living in July, 1604, certainly died before the close of the following December.

The pension of £100 per annum was paid to Countess Elinor, by the Vice-Treasurer of Ireland, to Michaelmas, 1638, when it ceased; and I therefore conclude that she must have died before the Easter of 1639, when another half year of the pension would have been due and payable; and at this point I should have closed my observations, if it

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\* Landed Estates’ Record Office, Patents, James I., lib. 2 B, p 111.

was not stated in the "Anthologia Hibernica,"\* and if that statement was not supported in "Lodge's Peerage,"† edited by Archdall, "that Elinor, daughter of Edmund, Lord Dunboyne, the second wife of the 16th Earl of Desmond, remarried O'Connor of Sligo, *and died in* 1656; that she erected a chapel near the church of St. Dominick, in Sligo, had a monument placed therein, and is herself buried there.

I will not attempt to reconcile the discrepancy apparent between the date (1638) at which I assume her death to have taken place, and the date (1656) at which Lodge places it. I will only observe, that, as she is known to have had one son and five daughters living at the time of the murder of her husband, Earl Garrett, in 1583, it is not unreasonable to conclude her then age to have been 30 years; and if this be so, she would have attained the age of 85 in 1638, and of 103 in 1656. I leave the Academy, keeping in view the fact of the cessation of the payment of the pension from Michaelmas, 1638, to form its own judgment.

The monument which was erected to the memory of her last husband is still subsisting, and I am enabled, through the kindness of a lady friend, to present a sketch of it, done in oils.‡ From this illustration, the monument appears to be a chaste and elaborate piece of sculpture, and is a valuable relic of the past, whether considered in a genealogical, antiquarian, or artistic point of view, and certainly the families most interested should pay great attention to its preservation.

This Countess of Desmond held estates in her own right in the county of Sligo. I find her in charge upon the Crown Rentals from 1620 to 1641, as tenant, which officially signifies patentee to the Crown, at a Crown rent of 20*s.*, equivalent to 15*s.* of the late Irish currency, for the castle of Bealadrohid, the quarter of land of Rathsene, the quarter of land of Leighcarrow, the cartron of land of Carrcumone, with other lands which were forfeited to the Crown by the attainer of Brian O'Connor, one of the Sligo family.

Her second husband, the O'Connor Sligo, surrendered his estates for the purpose of obtaining a regrant of them from Queen Elizabeth. Such a regrant§ was made to him; it bears date 12th July, 27th Eliz., A. D. 1585, and comprehends a large portion of the county of Sligo; but these estates of the Countess Elinor, as well as a large portion of her second husband's, the O'Connor Sligo, by some arrangement, made about the year 1636, passed into the hands of the Earl of Strafford and Thomas Ratcliffe. A clause in the Act of Explanation of 1665, and a grant from King Charles II., confirms the arrangement so made, and at the present day represent the title from the Crown to these Sligo estates.

\* Vol. i., p. 245.

† Vol. ii., p. 75.

‡ This lady would not permit me to reveal her name, for the reason that she is offended at the illiberality of the Academy in excluding ladies from hearing polite literature and antiquarian papers read, in many of which they would take a deep interest.

§ Landed Estates' Record Office, Patents, Eliz., lib. 26, f. 53.

In the publications of Mr. Sainthill, the "Quarterly Review," and this paper, there is now before the Academy a complete genealogical and life account of the two Old Countesses of Desmond; and from it a satisfactory conclusion may be arrived at as to whether both, or which of them, appeared at the courts of Queen Elizabeth and King James.

It appears to me that, without a violation of the just application of the laws of evidence, the decision must be against any such visit of the older Countess, who had no apparent necessity for the journeys, and at the first suggested visit was 120, and at the latter 140 years of age; while the other Countess had the inducement of hard necessity, and was then in the vigour of her age, being 30 years old in 1576, and 48 in 1604.

Lord Talbot, on the part of the Earl of Enniskillen, presented some drawings, maps, and photographs of antiquarian remains.

The thanks of the Academy were returned to the donor.

The Academy then adjourned.

#### STATED MEETING.—MONDAY, MARCH 16, 1864.

The VERY REV. CHARLES GRAVES, D.D., President, in the Chair.

The SECRETARY of the Council read the following—

#### REPORT OF THE COUNCIL.

SINCE our last Report was presented to the Academy, the following papers have been printed in the "Transactions":—

IN THE DEPARTMENT OF SCIENCE.—Mr. Bindon B. Stoney, "On the Relative Deflection of Lattice and Plate Girders."

AND IN ANTIQUITIES.—Mr. W. H. Hardinge, "On MS. Mapped and other Townland Surveys in Ireland of a Public Character, from 1640 to 1688."

The printing of Captain Meadows Taylor's paper, "On the Cromlechs and other Antiquarian Remains in the Dekhan," has been completed, but its issue is retarded by a delay in the execution of the illustrations.

It has recently been decided, on the recommendation of the Committee of Publication, that every paper printed in our "Transactions" shall be made up separately, and issued in that form to members applying for it. This arrangement will greatly diminish the interval which has hitherto usually elapsed between the reading of a communication and the delivery to our Members of the part of the "Transactions" in which it appears. For the future, when a paper is ready for issue, notice will be sent to each Member of the Academy; and after the lapse of twelve months from the date of the notice, the Academy will not consider itself bound to supply copies of the paper.

The preceding regulation has enabled us to prepare for immediate issue several papers which have been long printed, and had remained in